

Regular Session, 2009

HOUSE BILL NO. 58

BY REPRESENTATIVES CHANDLER AND BALDONE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Amends the criminal penalty for the disposal of movable property with fraudulent or malicious intent

1 AN ACT

2 To amend and reenact R.S. 14:72.4(B), relative to offenses against property; to amend the
3 criminal penalty for the crime of disposal of property with fraudulent or malicious
4 intent; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:72.4(B) is hereby amended and reenacted to read as follows:

7 §72.4. Disposal of property with fraudulent or malicious intent

8 * * *

9 B.(1) When the value of the encumbered property is one thousand dollars or
10 less, Whoever violates the provisions of this Section the offender shall be fined not
11 more than five hundred dollars or imprisoned for not more than six months, or both.

12 (2) When the value of the encumbered property exceeds one thousand
13 dollars, the offender shall be fined not more than one thousand dollars, imprisoned
14 with or without hard labor for not more than one year, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Chandler

HB No. 58

Abstract: Increases the criminal penalty for the disposal of property with fraudulent or malicious intent when the value of the encumbered property exceeds \$1,000.

Present law prohibits any person who has executed a security agreement on movable property to dispose of the encumbered property, or to remove the property from a designated location, with fraudulent or malicious intent to defeat the mortgage or security interest.

Proposed law retains present law.

Present law provides for the following criminal penalties: imprisonment for not more than six months, a fine of not more than \$500, or both.

Proposed law retains present law for encumbered property valued at \$1,000 or less. When the value of the encumbered property exceeds \$1,000, the offender shall be fined not more than \$1,000, imprisoned with or without hard labor for not more than one year, or both.

(Amends R.S. 14:72.4(B))